ADDRESS

To the People of the State of New-York.

FELLOW-CITIZENS : -- The legislative labors which were committed to the hands of your representatives have been brought to a close by proceedings unparalleled in the history of republican States. We, whose names are hereunto sub. scribed, desire to present for your calm, intelligent judgment, a condensed statement of the acts by which the government of this State has been suspended, and a review of the aubterfages which are arged in excuse therefor.

The Government of the State of New-York is REPUBLICAN in its character and form. At the very basis of Republicanism, lies the principle that the WILL OF THE MAJORITY, expressed and embodied according to established forms, is to be Law FOR THE WHOLE. Whenever that principle is denied, either in theory or in practice, the essential element of political freedom is destroyed, and the only escape from anarchy is to be found in the despotism of a minority, upheld by force.

The People of the State of New York, "grate-The People of the State of New York, "grate-ful to Almighty God for their Freedom, in order to secure its blessings, 'have established the existing Constitution. They have therein proclaimed their own sovereignty, and have prescribed the agencies and forms through which it shall be exercised.— They have committed the enactment of all laws to a Legislature, consisting of a Senate and Assem-bly compared of members elected by themselves composed of members elected by themselves and responsible to them for their acts. decreed that the assent of all the members elected to each branch of the Legislature, shall be neces sary for the enactment of any law:—and that, anon the first passage, in cishe. House, of any law which appropriates the public money to any pub-lic use, three fifths of all the members elected thereto, shall be necessary to constitute a quorum The object of this prevision is very evi dent. It was designed to secure as full a repre-sentation of the People as possible, whenever their money was to be used under legislative au-thority. It was intended to secure for such acts

a more complete representation than was required for ordinary legislation. The Legislature, on the 17th of April, was proceeding in its ordinary course of public business, when a Bill came up for its final passage in the Benate, being one of a large number of bills for the passage of which a quorum of three fifths was necessary. Twelve Senators immediately tender ed their resignations, and a thirteenth vacated his seat and placed himself beyond the reach of the Senate. Upon taking the vote, seventeen Sonators, being a majority of all elected, voted in favor of the bill, and two against it. Less than three lifths of the members elected to the Senate, were thus found to have been left therein. The Senate was thus disorganized. The quorum made necessary by the Constitution for the transaction of important business, was destroyed. A minority of the Senators had rendered it impossible for the Legis beneators has rendered it impossible for the Lega-lature to discharge duties imposed upon it by the Constitution. No money could be appropriated for the support of the Government. No bill requir-ing the assent of two thirds of all the members could be passed. The Constitutional power of the majority had been completely nullified, not by the vets of the Governor, by the dissent of a coordinate branch of the Legislature, nor by any other mode for which the Constitution makes provision ; -but in a way unknown to Constitutions and to laws, and in its very nature and tendency destructive to both. The Constitution provides for the repre-sentation, in all Legislative acts, of all the people of the State. It assumes that, in all such acts, all the people will be represented. And every proceeding by which this assumption, which pervades every section and every clause of the Constitution, and without which, indeed, all its provisions would be useless, shall be nullified, -any act by which large portions of the people of the State shall be disfranchised and deprived of rep resentation,—is as clearly and as truly a violation of the spirit of that instrument, as would be to nost bare faced disregard of some specific in-

metion which it contains.

We have, therefore, no hesitation in denouncing the act of these thirteen Senators, who, having entered into a conspiracy for that purpose, disor-ganized the Senate by vacating their seats, as a wilful violation of that Constitution which they had sworn to support.

The act, moreover, was an outrage upon the fundamental principle of a Republican Government. It was an open denial of the right of the majority of the People, through the representa-tives they had chosen, to make laws for the government of the State. The right of the majority to rule, is the first principle of every Republic; and if it be not observed in good faith by the m mority, in every case, responsible popular govern-ment is impossible. It has hitherto always been deemed the crowning glory of our people, they were true, under all circumstances emergency, to this great doctrine of Damocratic faith. Submission to the will of the major-ity, until it should be reversed upon appeals made in the manner for which constitutional provision is made, is the principle which lies at the basis of all our institutions, and which has carried our country through every crisis and every conflict.—
It gave us strength and success in the Revolution, it has given us union and stability from that time Every State in the Union, at differ iods of its existence, has passed ent periods through sharp political and civil contests.— The Union itself has been repeatedly convulsed by the atruggle of contending parties for power and supremacy. But in every case, hithpower and supremacy. But is verdict of the majority has been accepted as Law. But one instance has ever been known, until now, in American history, in which the minority have claimed the right to rebel against constitutional majorities, and by violent extra constitutional ethods render their will of no effect. islature of South Carolina, in 1832, asserted, but did not carry out, the right of resisting the will of the Constitutional majority of Congress. It was reserved for the great and enlightened State of New-York first to put in practice this aristocrati and dangerous practice. It was left for thirteen members of the Senate of this State, claiming exclusive democracy, thus by force and violence to prostrate in the dust this fundamental principle of every democratic government.

It must be borne in mind that, if the action of these disorganizing Senators be sanctioned in

this instance, it may be practiced in every other. The right asserted, if it exists in this case, covers every case that can arise. It will justify two fifths of the members of either House in nullifying the will of the majority of both in every which can arise under this section of th case which can arise under this section of the Constitution. No appropriation can ever be made for the support of Government, for purposes of education, for repairing the State canals, for the payment of debts or claims, for defending the State against invasion, or for any public purpose whatever, if this minority see fit to defeat it. If one political party may pursue this course to day, another may to morrow. The precedent which tion of the State upon every subject involving the expenditure or appropriation of money, into hands of a minority, and that, too, under s democratic form of government, the fundamental principle of which is that the majority shall

It must be evident to all, that such a principle as this, practically carried out, would subvert the Constitution and prove fatal to Republican gov-ernment: Its tendencies and inevitable results may be seen in France and the Republics of South America. The most gallant struggles of a brave people, contending for self government and the blessings of Freedom, have been neutralized by a practical disregard of this fundamental right of the majority to rule. Discontented minorities have refused to abide by the provision of the Constitution, and to yield their own opinions to the opinions and will of the majority. It is this lack good faith which rendered fruitless the gal lant efforts of the people of France, for the estab-lishment of Republican institutions and the assertion of their right to govern themselves. Minocities rebel against decisions of the popular votes party madness overleaps the bounds and barriers of the Constitution; and appeals are taken rom A just reliance upon the intelligence of the people, naturally precludes all apprehension of such a result in this country. But the best security against it, lies in the rejection of the principle out of which it grows. Let it be distinctly understood

that the majority must rule, and that the decis-ions of the majority must be accepted as law, un-til reversed. Let minorities understand that a

disorganization of Government is not a recognize

that good faith requires acquiescence in

pode of resisting the voice of the people, and

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alorities. CROMWELL, when the English

the members from their seats at the point of the beyonet. The minority of the Senators in this State, when the majority of the Senate would not vote to suit them, broke up the Government by abandoning the trust which the people had devolved upon them. The principle of both proceedings is the same; the difference between them consists in the kind of force resorted to.

It may be said that an appeal in this case simply taken to the people: that they are called upon to decide by their votes, whether the will of the majority is, or is not, in accordance with their wish. So it was in Cromwell's case. He broke up Parliament and ordered a new election. He appealed to the people to sustain his acts.— So it always is in France, in Mexico, and in the Republican States of South America. An ambitions, discontented minority rebel against the majority, and appeal to the people. The wrong and the danger in those cases, as in this, lie in the fact that the appeal is not taken in conformity with the fundamental law which all have agreed to abide by. The Constitution of this State provides for an appeal to the people. The actions of the ma-jority are to be reviewed and judged every year. But the disorganizing minority do not abide by that agreement. They claim the right to take new appeals, whenever the majority propose to enact any law which they dislike. It is easy to enact any law which they dislike. It is easy to see how such a principle, carried out, must inev-itably destroy all representative government, and plunge us into hopeless anarchy. It may be urged that after twelve Sepators had

resigned, twenty were still left, and that the Legislature of the State might still have gone for-

ward in making the appropriations that were required. To this the reply is,

First. That to make appropriations for the multifarious objects which the good of the State required, when two fifths of the people of the State were unrepresented, and could have no voice in making them, would have been a gross violation of the first principles of justice, and of regard for the popular will.

Second. That some of the most important acts

the popular will.

Second. That some of the most important acts of the Legislature required the assent of teothirds of all the members elected to each branch thereof: and as two-thirds of the Senators were not left therein, there was no Senate for many of the purposes contemplated by the Constitution. Its rightful power, therefore, to transact any busi-

ness, was not free from doubt.

Third. That it would have been in the power of any one member to dictate to the Legislature, supposing it to have been empowered to transact business, the amount and object of each specific appropriation, under threats of defeating them all. To have put the whole financial power of the State thus into the hands of a single person, would have been a base betrayal of the public

finterests, and the rights of the People.

Fourth. That one o'the remaining Senators declared in open Senate, that unless the order of legislative business fixed by the Senate ahould be laid aside, and he should be allowed to scribe what should and what should not be he would also vacate his seat and render further legislation impossible. To have complied with such a demand would have degraded the Senate below the level of him who made it. elow the level of him who made it.

Fifth. Each of these twelve Senators had placed

upon record his solemn belief that one of those remaining (Mr. Schoonmaker) was not a Senator, having been elected to Congress. They therefore cannot consistently believe that there were twenty Senators left-nor can they be sincere in urging that acts requiring three fifths could still have been passed. This position, whatever may be its intrinsic merits, is certainly good against those who hold it.

Upon these grounds, fortified as they are by the most conclusive reasoning, the undersigned submit to the People of this State, that the step taken by the minority who vacated their seats in the Senate and thus, by destroying the Constitu-tional quorum, rendered legislation impossible, would, it sanctioned, establish a principle dangerous to the interests and destructive to the rights, of the people, in a Government which recognizes the principle that majorities must rule.

We shall now proceed to consider the pretexts by which these persons endeavor to justify the course they have taken. They are all embraced in the statement, that the bill upon which the Senate was about to act, was one which, in their judgment, ought not to pass; and as a majority of all the members elected to the Senate were in

favor of it, this was the only way in which it could be defeated.

It will be clear from what has already been will be clear from what in affect, in the that this excuse does not affect, in the alightest degree, the principle involved. If a mi-nority may defeat this bill, in this way, any other bill may be defeated, through all time to come, in the same way, by any minority that may be op-posed to its enactment. The Constitution was never intended to clothe the minority with any The provision, requiring a quoru of three hiths, was never designed to empower a minority to defeat legislation; and in the Conven-tion which framed the Constitution, the bare suggestion that it might be so used, was scouted as impossible and absurd. Hon. MICHAEL HOFF-Man, who was the leader of the dominant party in that Convention, and the author of this clause, said that it was designed "as a guarantee for safe legislation," by requiring a full representation of the people. "Mr. Worders (we quote from the Debates) suggested that this would put it in the power of two fifths, by with. would put it in the power of two-fifths, by with-drawing, to defeat wise legislation. Mr. Hoff-Mann replied that the house from which they retired would deserve infamy if it did not imprison them for it." This is perfectly conclusive as to the intent of this provision of the Constitution, and shows that no such power is conferred or con-templated by it, as has been asserted and exer-cised in this instance. And the effect of sanction-ing this proceeding will be, to engraft upon the Constitution a new provision—that a minority of Constitution a new provision—that a minority of two fifths in either branch may veto the action of the Legislature. We are quite willing that the People should decide whether this is a safe and just principle—and whether this is a proper and Constitutional mode of amending that instrument. But it is alleged by this minority, that the bill embodied a violation of the Constitution, and that means necessary to prevent its enactment. Granting, for the sake of the argument, that the bill was unconstitutional, it is sufficient to say in reply, that the People of the State have nowhere delegated to a minority in either branch of the Legislature, jurisdiction over questions arising under the Constitution. The indicate provided the State have the Constitution. the Constitution. The judicial power of the State is conferred upon Courts of Law. Those Courts have jurisdiction over all cases in law and equity, arising under the Constitution or under laws purporting to be made by its authority. If the majority in each branch of the Legislature enact any law, and the Governor gives it his approval, the enstitution and if doubt arises upon this point Courts have been organized for its decision. Courts have been organized for its decision. And it is the duty of minorities to abide by every law so enacted, until its unconstitutionality shall have been pronounced by those Courts who are the only competent authorities.

But the minority, in this case, have usurped that authority. These thirteen Senators have taken it upon themselves to decide a point, which is committed by the Courtifution avelous labor.

is committed by the Constitution exclusively to usarping a power of judgment with which they are nowhere clothed, and pronouncing a decision they have no right to give, they violate the Constitution to carry that decision into effect! They profess t bave been governed in their revolutionary move-ment by a desire to preserve the Constitution from apprehended violation. And for its preservation they do an act that violates the very first princi to the will of the majority! The madman, who which he feared might injure it, seems to have been their guide and model

It seems impossible that any one, who has the slightest regard for the Constitution, for the rights which it was designated to protect, and for the forms and instrumentalities it has provided to effect that object, should willingly sanction such a g. No matter what may have been the or the objects, of the bill in question, the course taken by the minority to secure its defeat, is at war with the Constitution and with the very existence of a Republican government. Due vision has been made by the Constitution to vent the passage of unjust laws, and for making wold such as contravene or exceed its sanctions. But the disorganizing minority has nullified all these provisions, and usurped the authority they nfer upon courts of law

confer upon courts of law

But we deny that the bill in question is of the
character alleged. It is neither unconstitutional
nor injurious to the public interest. On the contrary, it was designed and is calculated to carry into fall and complete effect one of the plainest injunctions of the Constitution, and to promote st interests of the State of New-York

The Constitution, after setting apart portions of the revenues of the Canals of the State for spe the purposes, requires that "the remainder of the revenues of the Canal shall, in each fiscal year, be applied, in such manner as the Legislalature shall direct, to the completion of the Erd Canal Enlargement, and the Genesee Valley and Black River Canals until the same shall

"be completed," Two things are very clearly enjoined by this clause:

First - That the revenues which remain, after satisfying the demands of previous sections in each fiscal year, shall be applied to the completion of these works. And

Second, That the Legislature shall direct the

manner in which that application shall be made.

Up to this time these revenues have been an plied to the completion of the came. plied to the completion of the canals, by being paid out in each fiscal year for work done upon them. The Legislature hitherto has directed that the application of these revenues should be made in this particular "manner." But no one has ever contended until very lately, that this was the only manger within the power of the Legislature to manner within the power of the Legislature to prescribe. The very fact that the manner of ap-plying them is left to the discretion of the Legis-lature, implies a discretion, a right to choose one of several. If a better way should be divised than that adopted hitherto-one which should secure the object aimed at by this clause in the Constitution, namely, the completion of the Erie Canal enlargement and the Genesee Valley and Black River Canals, more certainly, more speedily, and with greater economy, and which at the same time should not contravene any other provision of that instrument it would clearly be the right and the duty of the Legislature to adopt it and carry

it into execution.

Now we contend that this bill does embody such plan-that the "manner" in which, by its provi-ons, the Legislature directs the surplus revenues in each fiscal year to be "applied" to the special ed works, is just as Constitutional as that which has been adopted hitherto, and that in every oti respect it is far better. The manner of application

provided by the bill is simply this.

Piksi. The surplus revenues of each of the fis. cal years, 1851, 1852, 1853 and 1854, ara to be applied to the completion of the Canals, just as they have been hitherto, by being paid out for work one upon those canals during those years, or pre-

Second. All the work necessary to complete them is to be done within these four years—and by the Spring of 1854 the Eric Canal will be en-larged, and the Genesee Valley and Black River Canals will be finished.

Third. The surplus revenues, in each fiscal

year ofter 1854, are to be applied to the comple-tion of the Canais, (as required by the Constitu-tion) by being paid out for work done upon them previous to that time.

This is the whole scope and substance of the

bill. These are its main provisions, and its de-tails are shaped so as to carry them into effect. The Canals will be completed within the next four years, being paid for partly by the surplus four years, being pains for party by the arrival revenues of those years, and partly by promises to pay out of the revenues of the years succeed-ing. Those promises are in the shape of certifi-cates; and they declare upon their face, that they are to be paid out of those revenues, and without any other obligation, pledge or liability of any sort on the part of the State. It seems to us that the common sense of every

man may be relied on, to convince him that the bill thus only carries into effect one of the plain-est injunctions of the Constitution. The design of that clause of the Constitution was evidently

First. To compel the completion of the Eric Conal Enlargement, and the Genesee Valley and BECOND. To make the surplus revenues pay for

This bill effectually secures both these objects.

It will complete the canals by 1854, and will pay for them exclusively out of the surplus revenues which the Constitution expressly devotes to that object. Is it not clear, then, that the injunctions of the Constitution are fulfilled more effectually, because more speedily, and with greater economy, in this way, than in that which has been adop-

d hitherto?

These positions are too plain for denial or out. But it is said that the bill creates a debt doubt. But it is said that the bill creates a debt against the State, and that it thus encounters the prohibition of the Constitution. We have been unable to put any such construction upon it. We are as strongly opposed, as any can be, to say measure which will involve the State in debt. But there is no possibility of any such result from the operations of this bill. The certificates them selves declare that they are payable exclusively out of the surplus revenues, devoted by the Conselves declare that they are payable exclusively out of the surplus revenues, devoted by the Constitution to the completion of the Canals, and that there is no pledge, liability or obligation of any kind whatever resting upon the State for their redemption. The only obligation which the State incars is to devote these revenues, after 1854, to the payment of the certificates; and that obligation is created by the Constitution. The certificates will represent the work done upon the Canals. And the Constitution requires that rk, or whatever represents it to be paid for out

of these surplus revenues.

The Attorney General of this State, Mr. Levi S. Chatfield, in an official document, which, we regret to say, must take its place among the improvement of the say, we have a supplied to the say of the say chives of the State of New-York, contends that these revenues will be released from all obligation to redeem the certificates issued upon them, whenever the Canals shall be completed. "If these canals," he says, "are completed in three years, does not this remainder be-come relicred from this Constitutional dedication and subjected to the disposal of the Legislature? application of the remainder to that object ompletion shall be paid, but when the said canals shall be completed. And the same po-sition was assumed by Mr. Mann, just before resigning his seat in the Senate. tificates, it will be remembered, represent work done upon the Canals. The laborer who holds one of them, would be somewhat surprised to be told, as these distinguished gentlemen tell him, that he could not be paid, because his work was done; that the Constitution authores payments out of these revenues only unf the canals shall be completed; and that upon the instant the last spade has been struck, and the nishing blow given to the work, all constitutional obligation to pay for the work bestowed upon it ceases forever. It may be said with equal justice that the contractor who holds the certificate of the engineer for work done, at the completion of the canals, has no claim upon these revenues for re-imbursement. The plea is one that would not be tolerated for an instant in any court of justice on the face of the earth. To say that it is not justi-fied by anything in the Constitution, is simply to say that the State is not authorized by that stument to defraud those whom it hires to work. or to withhold from the laborer the wages he has The surplus revenues are devoted fairly earned. by the Constitution to payment for work done upon the canals, until they shall be completed: and this dedication will remain in force until that payment shall have been made, whether it be be-

re or after the work is done.
Ingenuity has been tortored by the enemies of is bill to bring its provisions within the prohibitions of the Constitution. The undersigned, in the exercise of their best judgment, believe th these efforts have been hopelessly vain most labored efforts of the most ingenious m have falled to render even plausible the pretext that the bill would involve the State in debt, or in any other way encounter the provisions of the Constitution. A paper addressed to the Lieutenant Governor, and signed by the resigning Senators, intended as an apology for their course, asseris that the bill in question "authorizes a Loan of nine millions of dollars without submitting the law to the approval of the people, and with "out imposing a tax to pay the dest created, as "the Constitution requires." It proceeds to say that "it authorizes the creation of a debt of nine millions of dollars, and pledges the future re sources of the Canals for its payment."

The confidence with which these assertions are made, after the public discussions which the subject has received, implies are markable reliance of the ignorance or credulity of the public. It is not casy to confound a toan on behalf of the State, with the sale of certificates which declare, upon their face, that no liability exists on the part of the State, for their redemption. When any person contracts a debt, he is bound to pay it out of any property he may possess. If the arm out of any property he may possess. If the pro-perty mortgaged is insufficient, whatever else he has, may be seized for its payment. But when an individual or a corporation sets apart a fund, out of which alone money is to be paid, nothing but the fund so set apart can be held for payment No debt is incurred by the person pledging: the only liability is upon the fund pledged. Precisely enues, and they alone, are held for payment. The debt is against the fund and not against the State. And we have a conclusive recogni-tion of this distinction in the Constitution itself. The first section of the seventh Article sets apart a portion of the Canal Revenues as a fund, which is to be sacredly applied to the payment of the Canal debt. The second

section sets apart another portion to be applied to the payment of the General Fund Debt. The fifth section says, that "if these funds, or either of "them, shall prove insufficient to enable the State "on the CREDIT of such fund, to procure the means "to satisfy the claims of the creditors of the State as they become provable," they become as they become payable, then taxes may be imposed to meet the deficiency. Here is an expirit and unmistakable assumption, that the credit of a fund may be used for procuring money to carry out the objects for which that fund was set apart —yet the money so procured does not constitute a debt against the State, for if it did it would be forbidden by the twelfth section of the same article of the Constitution. The case in question is precisely analogous. Money is procured on the credit of the surplus revenues, which are set apart by the Constitution as a fund from ch the Canals are to be completed

This point, which seems to us clear enough This point, which seems to us clear enough in itself, has been very elaborately argued in both branches of the Legislature. Desirous that no doubt whatever should remain upon the subject, it was submitted to the examination of the ablest jurists in the United States. Dawie. Webstein, who is universally recognized as the highest living authority upon points of legal or constitution, all construction, has declared, that in his judgment "it is clear that these certificates are to be ment "it is clear that these certificates are to b ment "it is clear that these certineates are to be
"received at the sole bazard of the receiver, or
bis assigns, without any obligation on the part
"of the State, direct or direct, in law or equity,
"to make any other provision for the repayment
"of the sum which may be advanced;" and that
"he does not think the transaction amounts to the contracting of a debt within prohibition of the Constitution. The cost of John C. Spencer, Samuel State DANIEL LORD and other distinguished jurists have been published, all presenting the same view the subject, and arriving at the same conclusions Upon the other hand, Mr. Levi S. CHATFIELD the Attorney General of the State, has submitted to the Sensia a paper which can only be charac-terized as a violent, partisan distribe against the terized as a violent, partisan diarribe against the bill. We ask every intelligent man in the State to read this communication, together with the re-ply to it made by the Committee on Canals in the Senate, and to judge for himself, not whether either of them in point of language, manner and matter is a disgrace to the archives of the State matter is a disgrace to the arches of the Section but whether there is solid ground for a rational doubt of the power of the Legislature to apply the revenue set apart by the Constitution for the enlargement and completion of the Canals, to that sole purpose, by paying for work done in anticipation of them.

The "protest" of the resigning Senators, followers these reckless statements by asserting.

lows up these reckless statements by asserting, that the bill in question "creates an obligation" or pledge on the part of the State so to arrange " and regulate the tolls on all of our Canals as to preduce at least a given amount of revenue to pay the mortgage, however oppressive such impositions may be to the forwarders, or de-structive to the trade and business of our Canals. It would not have been easy to make a statement upon this point more directly at va-rance with truth. The Constitution declares that the Canals shall remain "under the management of the Legislature forever. In the exercise of the power thus distinctly conferred, the Legislature propose, by the eleventh section of this bill, to fix a basis for the regulation of tolls upon the Canals. This they have not only the right, but it is their duty, to do. But it is not true that "a given the most to pay the most sage is preduced by the e Canals shall remain " under the manageme amount to pay the mortgage" is pledged by the State, under all circumstances, and "however op-pressive it may be to the forwarders, or destrucwe to the trade and business of our Canals. On the contrary, specific and complete provision is made for all the emergencies of seasons and of trade. The Senators who signed the declaration we have quoted, must have known that the bit which they professed to have under examination provided for an arrangement of tolls on the basis of the average business for the three preceding years, so that the same amount of articles transported should produce a certain revenue. Not could they have been ignorant of the fact, that it was distictly provided that, even in case of pesti lence or any other emergency by which trade should be interrupted, no obligation whatever for the redemption of these certificates should rest upon the State.

tolls at present fulfil all the injunctions of the Constitution, and leave a surplus of nearly eight hundred thousand dollars. The object of this section is to provide that, if the business of the Casais does not rail on, the amount of the trible collected shall not be materially different. Abundant provision is made for all conwarders should be oppressed, or the trade of business of the Canals destroyed. Nor is it true that the section involves any "obligation" of "pledge" on the part of the State, to keep the surplus revenues at this fixed point. It is sufficient to say, upon this point, that the Legislature has no power to create such an obligation: and that, while good faith will require on the part of that, while good faith will require on the part of future legislatures such a management of the Canals as will secure payment for the completion of the Canals, they cannot be bound or restricted, by any present action, in the exercise of the power which the Constitution confers upon them. They will have full power to regulate and arrange the tolls [as they may deem most conducive to the interests and the honor of the State.

We have thus examined the pretexts by which the acture of this scene of violence and disorgan-

the actors of this scene of violence and disorgan-ization seek to excuse their conduct to an intelli-gent people. We have abown as has been shown over and over again, in official papers and speeches in both Houses of the Legislature, that the bill in question does not violate either the letter or the spirit of the Constitution, but that it was designed, and is well calculated, to carry into effect one of the plainest and most impera-tive injunctions of that instrument. We refer to those documents for the most cogent and conclu sive refutation of every pretense and every sub-terfuge, by which its enemies have sought to jusrify their hostility to this bill. So completely has t been vindicated by argument, and so firmly are ts provisions established in the second its provisions established in the it difficult to the Constitution, that we find it difficult to ascribe the envenemed opposition it has encoun-action of the envenement of the behalf. We simply because those who took it deemed the bill unconstitutional. We are compelled to look elsewhere for the motives which have prompted this most extraordinary proceeding. We believe that it springs partly from hostility to the comple on of the Canals, and partly from the political ensiderations shadowed forth by the Attorney General in his official report to the Senate.

The resigning Senators declare in their " pro test" that they are "in favor of the enlargement of Eric Canal and of the completion of the Genesee Valley and Black River Canals," and that their only anxiety is, that the work should be done in conformity with the Constitution. It is difficult to reconcile this pretense with the determination they have evinced, at every hazard and o examine and determine its constitutionality It is not easy to believe them sincers in pretending to favor the completion of the canals, when they assume that a bill proposing to effect it is exconstitutional, and break up the Legislature rather than allow the majority to pass it, and sub-mit its constitutionality to the tribunals author-The hostility which these movements evince is

ot against any particular manner in whi Enlargement and Canals shall be completed .but it is against the Enjargement and Canals themselves. The actors in this scene of violence embody and represent that spirit which has always resisted the Enlargement of the Eric Cansl as a useless work, and denounced the Genesee Valley and Black River Canals as "sturdy begat the door of the Treasury of the State. struggle for the they are now making their final destruction of these great works and the energy and violence they display, are due to the consciousness they feel that defeat will put an end to the warfare they have so long waged upon the financial character and credit of the State. friends of the Canals, on the other hand,

perceive that this is a critical period in the history of these great and beneficent works, and that if they are not now completed in the manner pro-posed, they will propably never be completed at all. They believe these positions to be demon-

First, That the surplus revenues, out of which, according to the Constitution, the Canals must be completed, will never be sufficient to accomplish that work, unless the Erie Canal can maintain the monopoly it has hitherto enjoyed, of trans-porting the heavy articles which constitute the commerce between the Western States and the Atlantic ports.

Second. That with only its present capacity, and the rates of freight which that capacity ren-

ders necessary, it must inevitably lose a large portion of that commerce by the various com eting routes either finished or in process of com-

Third. That with the capacity which the practical operation of this bill will give it, the Eric Canal can reduce its freights, mercase its business, augment the revenues of the State, pay for itself and give the State of New York control for-

ever of that great and growing commerce, ever of that great and growing commerce. The amount which is now devoted to the work in each fiscal year is nearly eight hundred thou-Even if this amount should be con tinued, the work of enlargement could not be fin-ished, in the manner hitherto adopted, within fifsand dollars.

teen or twenty years.

But meantime great, competing works, are in progress on every side. It is not only from the Hailroads of our own State that the Canal has competition to fear, but from the works by which the Government of Canada is seeking to engross the carrying trade of the West, and from similar works now in progress through the States upon our Southern border. The expense of freight upon the Canal at its present capacity cannot be reduced below a certain point. The minimum cost of transporting a barrel of thur from Lake Erie to the Hudaon River, is now twenty two and two tenth cents. But it can be demonstrated that Flour from the Western States can reach New-York at a cheaper rate than this, (increased as this must be by the tolls which the State imposes, by our own Railroads, and still cheaper by other works in process of construction. The Canal, then, must inevitably lose business unless ts capacity be enlarged :- and every d business lost, retards the completion of its en-

On the other hand, if the surplus revenues devoted to its enlargement can be anticipated, if money can be procured, or work done and paid for these revenues as they shall come in hereafter, as is proposed to be done by this bill, the enlargement can be completed at once, the rates of freight can be reduced, all fear of competition will be at an end, the surplus revenues will be in-creased, and the enlargement will have paid for

These statements are susceptible of perfectly conclusive demonstration. If the Canal shall be enlarged, the cost of transporting a barrel of flour from Buffalo to Albany will be reduced from twenty-two cents to NINE cents, and the freight upon other articles will be diminished in proportion. The Canal will then, of couse, monopolize all the heavy commerce of the Northern States. It will secure for its own channel all the increase in trade which the natural growth of the West will involve. And the surplus revenues will be increased accordingly, The Report of the Committee on Canals in the

Assembly contains tabular statements and calculations upon this subject which are worthy of attention. It is there shown, in the most conclutentian. sive manner, that making all possible allowance for contingencies, supposing even that the rate of increase in business established by the experience of the past is to diminish, and allowing a falling off, in consequence of the reduced toils on wheat and flour, equivalent to one twelfth of the aggregate revenue, -tie surplus revenue will neverthe-less, by the year 1866, -HAVE PAID EVERY DOLLAR OF THESE CERTIFICATES, AND LEFT A BALANCE ON TWELVE MILLIONS IN THE FUND Nay, more, it is shown with equal certainty, that if there should not be an increase of a single dollar in the business of the Canals, the expense of the enlargement would by the year 1874 be fully paid by the surplus revenues, and a balance of nearly two mil-

lion be left in the Fund.

It is not easy to see how intelligent men can shut their eyes to facts so conclusive as these, and oppose, with so much malignity and by such dosperate means, a measure so clearly conductive to the best interests of the State. The Constitution requires the completion of these canals. It has set spart an annual revenue, as a trust fund, out of which that work must be done. It that reven is to be applied only by being paid out as re-ceived, fitteen or twenty years must be consumed in the work; the State meantime will lose the in-

in the work; the State meantime with terest of the money invested.

From a statement appended to the Report of the Canal Committee of the Assembly, it appears that there has been expended in the chlargement of the Eric Canal, up to and including 1850, the

The interest on that sum to 1854, is supposing the work is to proceed as it has done hitherto, by the application of the surplus revenues yearly, as they accene, and to be completed in 1866, there should be added to the above the interest from 1854 to 1360, twelve vests. The further cost of completing the work will be 11,520,000 co

process adopted bitherto, is thus shown to be more than Sixty Four Millions of dollars! Is it not time to adopt a different policy by which this enormous outlay may be rendered available at the earliest possible period? You will see by the above statement how much capital would be actually sunk and rendered unproductive for lifteen years or more, by the wretched system of carrying on the enlargement of the Canal by driblets and in patches. Every man must perceive that by expediting the work, a vast amount would be

by expediting the work, a vast amount would be actually saved to the State.

And yet, when a proposition is made to complete that great work, and to expedite, by ten or twelve years, the time when the State shall derive largely increased revenues from its use—by simply anticipating the surplus revenues devoted by the Constitution to that specific object, and when it evidently meets the wishes of a majority of the people, and of their representatives in the Senate, it is resisted by the minarity, by proceedings unparallelled in the history of American States!

The whole case may be clearly illustrated by a familiar analogy. Suppose a farmer, holding boad and mortgage which yields an annual int est of one hundred dollars, had partly built a house which he desi ned to rent, and which it would cost a thousand dollars to finish, and that he wished to finish it solely from the proceeds of his bond and mortgage. If he were to expend upon it each year the amount of the revenue voted to it, it would take ten years to finish it, he would lose the rent meantime, with the interest of his money, his house would decay almost as rapidly as he could build it, and he would gener ally be regarded as fit for a Lunatic Asylum. Ye this is precisely the policy which the opponents of this bill insist must be pursued by the State in regard to her Canais. If the farmer, in the case supposed, were to finish the house at once, pladg-ing the interest of his bond and mortgage, as it should come in, for the payment of labor upon it, or of certificates representing that labor, does any one suppose that he would have incurred the legal and Constitutional a deet, in the legal and Constitutional meaning of that term,—a debt for which his whole property could be held, or that he had mort-gaged his farm by pledging the interest of the bond and mortgage? Yet this is the pretext set up sgainst the analogous case of the Canal bill under consideration. It proposes sim-ply to sell certificates, entitling the holder to paycrue, and from no other source whatever poses with these certificates to pay for work done upon the Canals. It simply makes the revenues of 1856 pay for work done in 1854, just as the re-venues of 1850 have already been applied to pay-ment of work done in 1849. It establishes no new principle, introduces no new system, but merely extends a principle which has always been recog-nized and acted upon during the whole history of our Canals. Its practical operation will be, to plus revesues, and thus provide for the speedy

Fellow-citizens of the State of New-York, you are all deeply interested in the speedy comple-tion of the Eric Canal Enlargement and the Genman who produces wheat, or any other means of numan subsistence, and every man who consumes it are alike interested in reducing the cost of carrying it from one to the other. Every man who pays taxes upon a single dollar to the Treasary of the State, is directly interested in accel erating the time when the revenues of our State Canals shall abolish the half mill tax now , and render all taxation needless forever after. Every laboring man, whose nole dependence for himself and his family is upon his daily labor, is directly interested in the passage of a bill which will furnish immediate employment, at fair wages, for thousands and tens of thousands of la boring men, and complete a work which wil give a new impulse to commerce and new fields for labor in all time to come. Every man who lives upon the line of any railroad, and who has ccasion to use it for purposes of transportation, is directly interested in the completion of a work which will, by competition and by the increased business which it will create, enable those roads to reduce their freights. There are but three classes of enemies to the bill for whom even a

plausible excuse can be devised. They are The holders of State stocks, who, having bought them at par and hoping to sell them issue of these certificates will interfere with the success of their adventure. There is no reason to apprehend any essential falling off in the price of State stocks; but even if there were, must the interests of the great masses of the people throughout the State be ascrificed to the avarice of a few brokers, bankers, and speculators in

Second. The holders of stock in Railroads which Second. The holders of stock in Railroads which compete with the Canal, fear that they may be compelled to reduce their freight and their dividends. To this objection we reply.

1. That even if the stockholders in Railroads

should fail to acquire all the gains they may have anticipated from the monopoly they enjoy, the people who use the Roads would be sainers in

proportion thereby.
2. That the railroads will share in that increase of business, and that promotion of the general prosperity, which the completion of the enlarge-ment and the lateral canals will produce; and that ment and the lateral catasis will produce; and that they will, therefore, be directly and largely benefited thereby. If the Canal is not enlarged, the railroads of this State will be injured by the roads of Pennsylvania and Ohio, as those roads afford a nearer route to New York from the Southern sections of the Western States than our own can do. The enlargement of the Canal will destroy the competition of the railroads of other States, and thus easentially aid our own. thus essentially aid our own.

3. Until the Canal is enlarged, considerationed

public policy will justify, and perhaps require, a continuation of tells upon the central line of radroads, and the imposition of them upon the north ern and southern roads, both of which, if free ern and southern roads, both of which, if freel from tolls, might seriously injure the business of the Eric Canal.—whereas, the moment he speedy completion of the enlargement is secured, these tolls may properly and safely be taken off Third, The third class of persons who would naturally be opposed to the completion of the Canals, is made up of those political demanging.

with whom partizan considerations are aways superior to the interests of the State. The only superior to the interests of the State. The only reply which will prove effectual with this class of nemies, must come from the votes of the people

themselves.

A proposition was made in the Assembly, by one of the opponents of this bill, to borrow eight millions of dollars for the purpose of completing the Canals, and impasing a direct tax sufficient to pay the interest and to reduce the principal within adultant years. pal within eighteen years—the whole question to be submitted to the popular vote. It is sufcient to say that the revenues provided by the Constitution are ample for the work to which they are set apart -- that to complete the Canals by a direct tax, would be unequal, op-pressive and unjust —and that for these reasons the proposition was not accepted by the friends of the Canals.

As we have already stated, the action of the Senate upon this bill, as well as upon many oth ers of great importance, was suddenly arrested by the abdication of thirteen Senators. Among the bills thus defeated, was one providing for the speedy enlargement of the Oswego Canal, which had passed the Assembly by an almost unanimous vote, and which, but for the revolutionary more ment already referred to, would undoubtedly have become a law. That work could not, under the Constitution, be paid for out of the surplus rerenues of the canals, which are exclusively devoted to other objects; the bill before the Legislature and which, we trust, may yet be passed, provided therefore, for borrowing the money needed for that purpose under another section of the Constitution.

We are compelled to believe, by facts reco We are compelled to believe, by facts generally known, and by declarations made on high

authority, that no such revolutionary and disc-ganizing movement as that by which this bill has been resisted, would have taken place, if the members of the Senate had been left to the crac-cise of their own judgment, under afree sense of their duty to their constituents and the State. That this was not the case, we have the conclusive evidence, not only in facts which have come under our observation, but in statements dis tinetly made by prominent members of the party with which the resigning Senators are connected. with which the resigning Senators are connected. A distinguished Senator, who refused to become a party to the disorganization of the body to which he belonged, declared in debate upon the last day of the session, that "preponderating and extraordinary influences had been "brought to bear upon the resigning Senators" to control them; that he had been nearly no "controlled, buthe had avoided the overpowering "responsibility." And thus it seems that he acts of your Representatives have been obstrated, and the progress of your Government has been ed, and the progress of your Government harbon arrested, by a secret cabal to which you asset arrested, by a secret cabal to which you are confided the power of legislation. The history the Jacobin clubs in another country, which are used the awed the representatives of the people and finally prostrated their liberties and their republican is stitutions at the feet of a despot, should be t warning to us, how we regard such influence with indifference, or put confidence in men wh have yielded to them. Another declaration equally important, and relating probably to the same facts, was made in the Assembly, in the "We have seen lurking about thesels bies the agents of monopolies, like crows to "vultures about a carcass, laboring to present the Eulargement of the Canal. They have be

cured their victims and carried their dupes. These statements, made by persons to a put-tion to know whether they are true or not, less little doubt that, in the high handed action they have taken, the resigning Senators were made the tools and dupes of seifish monopolists and heartless demagogues, whose agents have crowled into the halls of legislation, and driven from

their seats the Representatives you had chosen
Fellow Citizens: Such are the influences
which have controlled the action of a portion of
your Representatives: it is for you to say who
ther they are such as should govern the conduct
of men who act for a free and intelligent people. Such are the pretexts by which they attempt to excuse their conduct .- it rests with you to say whether they are satisfactory. It is for you to determine whether the action of a minority, is abandoning their seats for the purpose of defeat-ing measures they do not like, shall receive the sanction of a popular vote, and thus become a precedent for minorities is all time to come. We have no fears of the verdict which you

will pronounce.

2 - JOHN A CROSA, Kings Co.

5 - RICHARD S WILLIAMS, New York.

4 - CLARRSON GEOLILS New York.

6 - JAMES W. BEERMAN, New York.

6 - EDWIN D MORGAN, New York.

16 - MARIUS SCHOONS & KER, Ulster.

11 - STEPHEN H. JOHNSON, Schenectaly.

13 - JAMES M. COOK, Sections.

22 - GEORGE GEDDES, Oncodings.

23 - Levi Di MMICK, Bronce.

24 - WILLIAM BEACH, Cayuga.

27 - SAM CEL MILLER Monroe.

28 - ALONZO S UPHAM, Geneve.

29 - CHARLES COLT, Livingson

30 - CHARLES D, ROBINSON, Allegany.

31 - GEORGE R. BABCOCK, Erie.

22 - ROBERT OWEN, Jr. Catterraugas.

Hy, J. RAYMOND, N. Y. Co. [Levi Harris, Cher.

SO.—CHARLES D. ROBERSON, Alegeary.
St.—GEORGE R. R. BARCOCK, Eric.
GLAND ALLEN, Eric.
J. W. BARCOK, NIRGERS.
E. T. BACKHOLS, Kings.
GEO. E. BAREZ, Kings.
OTIVER BEIERAY, OTANGS.
JOSEPH BENEBUCT, Obeida
T. H. BENEBUCT, Westehr.
Y. W. A. BIRD, Eric.
P. W. BISHOT, Coleida
T. H. BENEBUCT, Westehr.
Y. W. W. BOTTUN, Wayne.
DELOS BRADLEY, CASUBA.
GEORGE BEYTON, Obeida.
DAN, C. BRIGGS, Westehr.
HOWARD C. GALY, Kings.
HY J. CAMPHELL, Otaego.
JOEL CARRINGTON, Steubec.
A. CHAMBERLIN, Livingsion.
GEO. CLARK, New York
J. ATWATER GOOKE Greece
CALER S. CORES, MONTOC.
LANGE BENES, CONCENTRATION OF THE HENRY PARRE, OBARDON, CRIMBERLY, TOGS.
JANES FARK, Washington.
BENES G. SEVERN, MONTOC.
LENS G. FERRIS, TOMPHICS.
A. A. GREGORY, N. YORK
JANES FARK, Washington.
BENES G. SEVERN, GONTOC.
CHARLES J. BENESCO, CRIMBER, J. LIVINGS J. M. C. BENES, B. HOVEN, Madden, J. M. L. MARCHEN, B. HOVEN, Mader J. M. J. HONGER, W. J. HONGER, J. M. L. MINGEROLI, Chemists G. MARCHEN, J. M. J. HONGER, J. M. L. MARCHEN, J. M. J. HONGER, J. M. J.

DESTRUCTIVE FIRE.—The United States Land Office, the State Land Office, and the Telegraph Office, a Defiance, Ohio, were burned on the 16th last. All the Telegraph office, and the plans and pages connected with the current business, were destroyed land titles to the land in nearly one half of the State is connected with these burned records. A few of the Pages and plats of the State Land Office were saved.

[Cincinnati Gar. April 17.

ARREST FOR GR AND LARCENY.—A young mass samed Moses Coffin was on Monday arrested on a charge of grand la cony in stealing a pocket book containing a from the pantaloous pecket of Goles Raynor, while the latter was saleep in his room, in Avenue B. The accused was held for examination.

FIRES .- A building in the rear of No. 102 Cen ter at was slightly damaged by fire on Sunday night.
At 12 o'clock on Sunday night the basement of the Table
logical Institute is University-place caught fire from its
stove. It was soon put out, damage trifling.